

DETAILED ACTION

Allowable Subject Matter

Claims 1-28 are allowed.

The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to system and method for frequency channel assignment systems, base stations, control stations, inter-system common control apparatuses, frequency channel assignment methods and control method which enable adaptive overlapping use of the same frequency band in a plurality of radio communications system.

Applicant's independent claim 1 recites, *inter alia*, a frequency channel assignment system comprising a plurality of radio communications system which use a common frequency band in a common geographical area, and a controller with the structure as defined in the specification (See Page 20-29) including the system characteristics information for each frequency channel, an allowable amount of interference on the frequency channel, the channel status information including, for each frequency channel, an interference measurement of the frequency channel, the control determining, within a range of the common frequency band and based on the system characteristics information and the channel status information and the frequency channel assignment function, when the first occupied use frequency band is lower than the second occupied use frequency band, prioritizes a frequency channel of a low

Art Unit: 2617

frequency band in the first radio communication system and prioritizes a frequency channel of a high frequency band in the second radio communication system.

Applicant's independent claim 1 comprises a particular combination of element, which is neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIZAR SIVJI whose telephone number is (571)270-7462. The examiner can normally be reached on 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NIZAR SIVJI/
Examiner, Art Unit 2617

/George Eng/
Supervisory Patent Examiner, Art Unit 2617